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Chairperson: Mr. Penke ..... (Latvia)

Contents

Agenda item 69: Promotion and protection of human rights

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

(c) Human rights situations and reports of special rapporteurs and representatives

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The meeting was called to order at 10.05 a.m.

Agenda item 69: Promotion and protection of human rights

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (A/64/159, A/64/255 and A/64/279)

(c) Human rights situations and reports of special rapporteurs and representatives

1. **Ms. Jahangir** (Special Rapporteur on freedom of religion or belief), introducing her interim report on freedom of religion or belief (A/64/159), said that she regretted that religious-based intolerance and discrimination on religious grounds, both sources of tension, manifested themselves daily throughout the world. However, she welcomed the initiatives being taken to counter that contagion, which was difficult to eradicate.

2. Mentioning the major trends observed vis-à-vis discrimination, particularly restrictions on freedom of religion or belief, she noted that women and certain other categories of persons designated as "vulnerable" by the General Assembly in its resolution 63/181 on the elimination of all forms of intolerance and discrimination based on religion or belief were those most affected. The problem of children being indoctrinated by militant groups and non-State actors and incited to commit acts of violence in the name of religion was particularly alarming and required intervention by States. Furthermore, it was necessary to work to safeguard not only positive freedom of religion or belief — including the right to the voluntary display of religious symbols — but also negative freedom — meaning the right not to be forced to wear such symbols. In the context of the fight against intolerance, the Special Rapporteur had participated in October 2008 in an expert seminar on freedom of expression and advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence, and in April 2009 she had participated in a meeting on the same subject organized by the Office of the High Commissioner for Human Rights, which had provided an opportunity to stress the need to anchor the debate over limitations on freedom of expression in the relevant international legal framework.

3. Other subjects of concern included attacks targeting places of worship and religious buildings, the subjects of General Assembly resolution 55/254 on the protection of religious sites, as well as other forms of intolerance which seemed specific to certain countries or regions where the authorities subjected religious communities to excessive controls or persecuted religious converts. In that respect, she recalled that theists, non-theists and atheists, as well as persons who professed no religion, should enjoy the same protection as others.

4. She deplored the fact that despite some 1,200 letters containing allegations and urgent appeals addressed to 130 States and some 30 country visits carried out since the establishment of the mandate in 1986, there were still reports of large numbers of violations worldwide, as well as the fact that the number of laws limiting freedom of religion or belief was increasing. Since submitting her last report (A/63/161), she had travelled to Turkmenistan, the former Yugoslav Republic of Macedonia and the Republic of Serbia, including Kosovo, and had everywhere been able to work with and engage in dialogue with authorities.

5. To combat religious discrimination, it was crucial for States to emphasize prevention and early detection of signs of intolerance. In order to do that, they must commit to guaranteeing compliance with basic human rights, not only by taking the necessary legislative measures but also by promoting dialogue, education and freedom of thought, religion and conscience. Finally and above all, they must guarantee compliance with the rule of law and the effective functioning of democratic institutions.

6. **Mr. Vigny** (Switzerland) said that the situation of vulnerable persons was a priority for the Government of Switzerland. Emphasizing the close links between freedom of religion and of expression and stating that it was the responsibility of States to raise public awareness, he asked what role freedom of religion and expression should play in order to be taken fully into account in human rights education policy. Tolerance and mutual respect were necessary conditions for peace among religions.

7. **Ms. Mårtensson** (Sweden), speaking on behalf of the European Union, said that the draft resolution on the elimination of all forms of intolerance and discrimination based on religion and belief which the European Union would introduce drew on the report of the Special Rapporteur. The European Union was

particularly concerned about intolerance towards individuals who had changed their religion and by forced marriage and forced conversion, which affected girls in particular and ran counter to the provisions of article 18, paragraph 2, of the International Covenant on Civil and Political Rights. In regard to the complex relationship between the right of children to freedom of religion and belief and parental rights and duties, the European Union wished to know what measures the Special Rapporteur believed States should take as a priority in order to safeguard children's freedom of religion or belief, as well as to heighten children's awareness of tolerance. Discrimination and violence targeting religious minorities were also areas of concern to the European Union, and she wondered which areas were the most appropriate for implementing the measures envisaged, in order to bring those minorities into the mainstream and raise awareness of their situation.

8. **Mr. Tagle** (Chile) said that prevention and education were essential to combating intolerance, but emphasized that they involved cooperation by States, which was not always easy to secure. He wondered, therefore, if programmes had been implemented to raise public awareness at the regional level in particular.

9. **Ms. Al-Zibdeh** (Jordan), referring to the question posed by the representative of Switzerland, requested clarification on the role which schools should play in teaching religious tolerance and on how to teach children to respect differences of belief and see beyond religious symbols.

10. **Ms. Major** (Canada) said that her country regarded the exploitation of children by non-State actors and movements of militants as most worrisome and called upon all States to take the necessary measures to combat the phenomenon. In that respect, Canada wished to hear examples of best practices for making children aware of religious tolerance. In regard to discrimination against religious minorities and incitement to violence in the name of religion, details on preventive measures Governments could take to avoid religious conflicts and on how to recognize early warning signs that violence was imminent would be appreciated.

11. **Ms. Taylor** (New Zealand) said that she was particularly concerned about the vulnerable situation of children and welcomed further reflection on how the international community could work together to combat religious intolerance, especially in the context of education.

12. **Ms. Sicade** (United States of America), noting that her country's stormy history showed that freedom of religion and of expression strengthened social stability by fostering respect and understanding and referring to the question posed by the representative of Canada, asked the Special Rapporteur to expand on the role which religious leaders should play in prevention and detection of early warning signs of discrimination and to discuss relations between such leaders and government authorities.

13. **Ms. Ivanović** (Serbia), welcoming the Special Rapporteur's trip to Kosovo in April and May 2009, drew her attention to the situation of non-Albanians in Kosovo. They had been the victims of acts of violence in March 2004 and more than 100 Orthodox churches had been destroyed since 1999 without any warning signs of violence being detected. Since no one had been prosecuted or punished for those crimes, her delegation wished to know how to put an end to impunity for perpetrators of crimes committed on religious grounds in order to re-establish a climate of confidence among the various religious communities in the country.

14. **Mr. Vimal** (India) said that in his country relations among the various religious communities had been problematic. In contrast to some other countries where the display of religious symbols posed a problem and was sometimes strictly forbidden by law, India was a multicultural and multireligious society where the wearing of religious symbols was accepted. It was important to strike a balance on the issue. He requested additional information on countries which had adopted strict rules prohibiting the display of religious symbols. The problem of racial profiling, which had grown worse after the attacks of 11 September 2001, was usually, in fact, religious in nature. Scapegoating certain religious groups was a problem which required concerted attention, going beyond efforts at education and awareness-raising. It would be good to know how the question could be approached in a comprehensive way. That issue was all the more relevant given the mobility which currently characterized the world in order to avoid profiling based on a specific religion.

15. **Ms. Al-Thani** (Qatar) said that her country categorically rejected all forms of incitement to hatred, persecution and denigration of religions on the pretext of freedom of expression. She asked what concrete legislative measures States could take to tackle the phenomenon, and also whether the Special Rapporteur had noted any progress in certain States in the area of freedom of expression, in particular the freedom to wear Islamic dress.

16. **Ms. Kidanu** (Ethiopia) asked how to strike a balance between freedom of religion and the obligation of citizens to respect the laws of their country.

17. **The Reverend Bené** (Holy See) said that he welcomed the importance accorded by the Special Rapporteur to freedom of religion and was gratified that she emphasized religious minorities and the responsibility of States to implement proactive strategies to combat discrimination, as well as the need to respect the religious freedom of migrants. Religious values contributed to peace among cultures and to justice in the world. It was important to foster respect for the beliefs of all and to educate young people in that regard. Moreover, parents must inculcate in their children such values as respect for others.

18. **Ms. Jahangir** (Special Rapporteur on freedom of religion or belief), responding to questions, said that the crucial question, asked by almost all those who had taken the floor, was what measures could be taken to improve education. Much had been achieved at the national and regional levels. In India, the universities had reviewed their curricula in order to eliminate all prejudice for or against certain beliefs. It was essential not only to ponder the question of religious tolerance to determine whether a course contained a discriminatory message, but also to consider what representations were being promoted, in particular with regard to women. In South Asia, the level of intolerance which had been noted within the education system of countries which were in fact characterized by pluralism was disturbing. She urged States to draw inspiration from the Toledo Guiding Principles on Teaching about Religions and Beliefs in Public Schools to give children a more open view of religion.

19. Visiting schools and talking to children was the best way to determine the level of tolerance of a society. It was also important to see what religious instruction model was used, for a model which emphasized prohibitions was likely to give rise to feelings of fear in children. The age at which religious instruction was begun was also very important and was a very controversial question. Some countries endeavoured to give children the opportunity to study any religion of their choice. However, that was not always possible, owing to a lack of resources. In Central Asia, a separate religious education course was taught in school, and then it was up to parents who wished to do so to have their child take a religion course separately. Governments must adopt an even-handed attitude on the matter, making sure that religious instruction was age-appropriate. Another key factor was the training of the people responsible for giving religion courses. Those teachers must have a non-biased attitude towards all religions. Interfaith dialogue among children should be encouraged. Furthermore, in countries where religious minorities lived in enclaves, care must be taken that children in schools where a religion not their own was heavily represented were not overlooked. It was also important to respect the wishes of children who did not want to take religion classes.

20. With regard to discrimination related to conversion in general and to marriage in particular, it was often difficult to know if a conversion was forced or not. It was not uncommon for a woman to testify in court that she married and converted by choice, but to say later that such was not the case. Some women explained that they were forcibly converted and believed they would not be accepted by their community or even endangered if they attempted to return to their original religion. Some violations were even perpetrated with the acquiescence of the authorities. Those situations were warning signals. Civil society must help empower women from religious minorities and sensitize religious communities to their situation.

21. Responding to the representative of Ethiopia, she said that there were various ways to take minorities into account. In that context it was preferable to avoid the term "integrating", in favour of the term "accommodating" minorities. Religious minorities were very committed to their religious and cultural identity. They must be allowed to carry out their rituals as long as those did not impinge upon the rights of others. Everyone must be able to enjoy freedom of religion. Anything that prohibited that freedom would constitute a violation of human rights.

22. Responding to the representative of Canada, she said that she believed that prevention measures were insufficient vis-à-vis the exploitation of children by militant groups. There were identified centres from which militants recruited children. States needed to monitor those centres more closely, whether educational institutions, orphanages or detention centres. For example, there were gangs which bailed out child detainees who were often from very poor backgrounds, from detention without any monitoring of their actions. States must address those issues.

23. With regard to the prevention of violence raised by several delegations, she stated that violence could often be avoided. Firstly, religious minorities had only very limited access to policymakers. States needed to set up mechanisms to enable warnings to be given when necessary. Law enforcement officials also needed to be trained in prevention so they could defuse tension between communities. Accusations, wars of words, discrimination, exclusion and media use could increase tension and anger between two communities. At that point the State must intervene at the national and local level to prevent an outbreak of violence. Governments needed to work to better understand religious communities and their leaders so as to be able work with them to maintain peace and harmony between communities.

24. Regarding the problem of impunity raised by Serbia, she noted that when non-State actors perpetuated violence in the name of religion, governments were reluctant to condemn them. Such an attitude, carried to its logical conclusion, allowed individuals to believe that they had the right to express their religious emotions through violence. Judges and politicians also needed to be sensitized vis-à-vis the wearing of religious symbols. Religion was politicized in many parts of the world; the main cause of religious disputes was left aside and importance was given to such secondary issues as the Islamic veil, which were not the cause of the violence. That was a means to avoid dealing with more difficult and contentious issues which politicians were generally reluctant to address

25. Responding to the representative of India, she explained that, with regard to the distinction between racial and religious profiling, the relationship between race and religion was often misunderstood to the extent that legislation in some countries confused the two concepts. While education was important in combating intolerance, raising public awareness was even more important.

26. **Mr. Attiya** (Egypt) noted the Special Rapporteur's emphasis on the reluctance of host countries to accommodate the culture of migrants and asked her to elaborate on her cooperation with the United Nations Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families. He also sought her opinion on studies carried out by some regional organizations, such as the Organization for Security and Cooperation in Europe (OSCE), on the links in some countries between the rise in defamation of religions, and extremism and violence against Muslims. He wondered if dialogue on the freedom to change religion or to return to one's original religion should take place, first and foremost, with religious institutions, since those were usually the institutions which authorized or objected to such changes.

27. He also asked for clarification on the Special Rapporteur's activities to bring to the attention of States concerned the need to safeguard the positive and negative freedom of religion. Egypt considered such safeguards essential in promoting tolerance and understanding. In that regard, and since the Special Rapporteur had declared that the issue of the veil must not be politicized, he asked her opinion on cases in which the veil became a symbol that incited violence against those who wore it, as well as her opinion on restrictions imposed on the construction of places of worship. Finally, he asked whether there were instances when discrimination based on religion was linked to other forms of discrimination, including racial discrimination.

28. **Mr. Rastam** (Malaysia), recalling that the Committee on the Elimination of Racial Discrimination had in the past noted cases of "double discrimination" based on religious grounds and on other grounds, said that while there were legal instruments to combat racial discrimination, that was not the case for religion. He therefore asked whether there were guidelines on that subject, along the lines of decisions taken by the Committee, and what the relationship was between that issue and articles 19 and 20 of the International Covenant on Civil and Political Rights.

29. **Ms. Jahangir** (Special Rapporteur on freedom of religion or belief) said that she cooperated closely with the United Nations Committee on the Protection of the

Rights of All Migrant Workers and Members of Their Families, with which she had prepared many letters of allegation which had been sent. There was also cooperation with other special procedures mandate holders.

30. Regarding the defamation of religions, an issue widely discussed by all the special rapporteurs, a threshold was clearly crossed when it was associated with incitement to violence, discrimination or hatred. The cases mentioned in the reports of the Organization for Security and Cooperation in Europe, for example, were warning signs, although whether they constituted violations of human rights remained to be determined. It was important to follow up on those cases, if only to let people who suffered from increasing discrimination know that they had recourse, intervening as soon as prejudice arose was also part of prevention.

31. Regarding the role of religious institutions, each individual had the right to decide his or her faith. When women feared being ostracized by society if they returned to their original religion after being forced to convert, religious institutions and authorities certainly had a role to play, although the State also needed to intervene to protect such women.

32. All forms of persecution of women because they wore a veil must be condemned. However, the international community was not yet ready to adopt a convention on religious freedom. Consensus first needed to be strengthened on that contentious issue and a clear distinction must be drawn between it and religious intolerance.

33. **Ms. Rolnik** (Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context), introducing her report (A/64/255), emphasized that climate change had already seriously affected the lives of some individuals and their ability to enjoy their fundamental rights. She regretted the lack of importance given to human rights in negotiations on the climate change treaty and hoped that the individual and his or her protection would have a central place in decisions taken in Copenhagen at the fifteenth session of the Conference of Parties to the United Nations Framework Convention on Climate Change.

34. Recalling the main points of her report, she underlined the seriousness of climate change, its extreme manifestations and its impact on informal and unserviced settlements, on human mobility, and on small islands and low-lying coastal areas. The populations hardest hit were those who had contributed least to the emergence of the problem and who lacked the resilience necessary to deal with those changes.

35. Describing the effects of climate change on housing in urban settlements, she drew attention to the deplorable plight of the almost 1 billion people who lived in slums or informal settlements, which were often located in hazard-prone areas. Those areas attracted the poor since housing costs there were considerably lower. The poor must urgently become the focus of urban planning and provided with access to affordable, well-located and higher-quality buildings in order to avoid further expansion of informal settlements and protect populations from extreme weather conditions.

36. Climate change also forced people to move. It was important to ensure that human rights were respected in the context of forced relocation, and the populations concerned must be protected from expropriation. Certain deplorable policies, adopted in the aftermath of disasters, transformed affected areas which were originally low-income residential in nature into higher-income residential, commercial or industrial areas. The population affected by disaster needed to be consulted and must never be left homeless.

37. Under article 3 of the United Nations Framework Convention on Climate Change, the international community needed to cooperate in order to assist those unable to adapt and cope with such changes. States must also develop strategies to mitigate climate change. The beneficiaries of adaptation projects must participate in their development and implementation, so that their needs were properly taken into account.

38. In the future, it would be necessary to improve territorial planning and housing policies to ensure that all had access to adequate housing.

39. **Ms. Leveaux** (Sweden), speaking on behalf of the European Union, welcomed the recognition that the most harmful impacts of climate change particularly affected the most vulnerable. Those who had contributed least to the emergence of the problem were the hardest hit. The European Union would do everything to ensure that a global deal that would limit global temperature increases to no more than two degrees was reached in Copenhagen. Climate change

was a threat to human rights. All Governments had an obligation to address the problem by focusing their efforts on the poorest and most vulnerable, and in particular by focusing, at the local, national and international levels, on participation, transparency and accountability. Industrialized countries must lead by example and the European Union would therefore reduce emissions of greenhouse gases by 20 per cent by 2020, rising to 30 per cent, in the event that an ambitious global deal was reached.

40. The European Union wished to know how the United Nations could best support the most vulnerable countries, particularly with regard to adaptation, whether the Special Rapporteur knew if the Organization intended to develop guidelines for States on issues highlighted in her report, and if she had been consulted on that matter.

41. **Mr. Christofolo** (Brazil) said that due to a lack of adequate infrastructure in the favelas, people who lived there could not fully enjoy their fundamental rights. President Lula had significantly increased investment in basic infrastructure and had taken steps to improve rural and urban living conditions. It was deplorable that the world's poorest were those hardest hit by climate change. He asked how international cooperation could help to combat the impact of climate change on the right to adequate housing, and particularly in strengthening the adaptive capacities of developing countries.

42. **Mr. Faizal** (Maldives) said that his country consisted of scattered islands in the Indian Ocean with an elevation of one metre above sea level. Those islands were already experiencing the impact of climate change. The concentration of economic growth in the capital and the acute shortage of land was having a significant impact on housing development and on development overall. Access to adequate housing was a fundamental right and an integral component of socio-economic development. His Government had pledged to provide such housing to all its citizens by offering help to low-income groups, and was following a policy of decentralization and regionalization in order to increase popular participation in development. Developing countries must also take measures at the national level to mitigate climate change. The Maldives had made a commitment to be carbon-neutral within the next 10 years.

43. In order to reverse the current global warming trend, the international community must make a concerted effort on the basis of respect for human rights. The parties to the United Nations Framework Convention on Climate Change had not only a legal obligation, but also a moral obligation to defend and promote such rights by concluding an ambitious and effective agreement at Copenhagen.

44. **Ms. Ketover** (United States of America) said that, as President Obama had stated at the Summit on Climate Change held in September 2009, it was essential to help the poorest and most vulnerable nations to strengthen their capacity to adapt and reduce their carbon emissions. The Special Rapporteur had expressed the view that States had obligations under international human rights law to pursue global solutions to global human rights problems. While disagreeing with that view, the United States believed that efforts should be made within existing mechanisms in order to address the issue.

45. **Ms. Rolnik** (Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context), responding to the questions asked by the representative of Sweden on behalf of the European Union, said she deplored the fact that the international debate on climate change mitigation had come to focus on pricing. The real issue was that the current consumption level of developed countries could not be maintained on a global scale while also reducing the human impact on the climate and the environment. However, developing countries could not be prevented from developing. It was important to ensure that technical progress did not benefit only the privileged. Adaptation and mitigation strategies should take into account the situation and needs of peoples with a traditional way of life, and should draw on their participation.

46. Responding to the comments made by the representative of the United States of America, she said that the international standards in force were sufficient in order to address the issue of the effects of climate change. At the same time, developers should be trained to take human rights into consideration. She was therefore amending the guidelines on development-related displacement with a view to formulating practical measures for developers, including engineers and architects. That approach could help combat the effects of climate change.

47. She welcomed the efforts made by Brazil to reduce the vulnerability of informal and non-serviced urban settlements. However, such action could also lead to tension. In Rio de Janeiro, facilities for the Olympics were to be constructed in an area where over 90 favelas existed side by side. The future of those favelas would be cast into doubt. The time had come to adopt a global strategy to rehabilitate and protect such settlements, in order to better protect their inhabitants from the effects of climate change and facilitate the exercise of all human rights. She commended the efforts of the Government of the Maldives to guarantee adequate housing for all. The right of every adult citizen of the Maldives to own land was now being jeopardized, notably by migration. An approach must be found to ensure respect for the right of all to adequate housing while taking into account population mobility, which was being exacerbated by climate change.

48. **Mr. Ndimeni** (South Africa) asked how the financial crisis had affected the exercise of the right to adequate housing, and which of the States and non-State actors involved had violated that right as a result of the crisis. He further wished to know whether the Special Rapporteur had examined the role of financial institutions.

49. **Ms. Rolnik** (Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context) said that she had submitted to the Human Rights Council at its tenth session a comprehensive report on the impact of the financial crisis on the right to adequate housing (A/HRC/10/7). Over the previous few decades, housing policies had failed not only in developed States but also at the level of international financial institutions. The latter had caused the housing sector to be viewed from a financial perspective. The United States Government had invited her to examine the impact of the financial crisis on the ground. Housing and urbanization policies should be reappraised with an emphasis on adequate housing as a fundamental right. Lastly, even where that right was violated by non-State actors, States had a duty to remedy the situation either through direct intervention or through regulation.

50. **Mr. Ndimeni** (South Africa) suggested that given the emphasis on the question at the General Assembly in particular, the Special Rapporteur could examine the impact of the financial crisis in greater detail in the future.

51. **Ms. Sepúlveda Carmona** (Independent Expert on the question of human rights and extreme poverty), introducing her report (A/64/279), said that the current economic crisis had had an alarming effect across the world in terms of unemployment and malnutrition. Such social groups as women, children and indigenous peoples had been disproportionately affected. The Committee should encourage Member States to take into account human rights when taking action to confront the crisis. Social protection systems were extremely important and should be strengthened. The fact that 80 per cent of the global population had little or no social protection explained the extent of the crisis to a significant degree. Efforts undertaken in that area should be guided by the relevant international instruments.

52. Access to social protection was an obligation enshrined in international human rights law. In addition to their current value, social protection systems could shield populations from future crises. It should be stressed that such systems were economically viable, and did not foster a dependent mindset. The International Labour Organization had demonstrated that given the support of the international community where necessary, most States had the means to fund a basic social protection system. States should tackle poverty with the same political will that had been shown in saving the international financial system, which had received an injection of US$ 18 billion. States should honour their commitments in terms of official development assistance, in particular towards sub-Saharan Africa.

53. She would continue to examine the closely related issues of development and human rights. Social protection was paramount for the realization of targets in both of those areas. States should therefore establish frameworks to ensure that the poor did not continue to be the forgotten victims of the crises which beset the world.

54. **Ms. Leveaux** (Sweden), speaking also on behalf of the European Union, recalled that the theme for the 2009 International Day for the Eradication of Poverty was "Children and families speak out against poverty". She wondered whether the Independent Expert could comment further on the long-term impact of the current crisis on children, which her report had described as

particularly concerning, and suggest specific practices to confront that impact.

55. At its previous session, the Human Rights Council had invited the Independent Expert to pursue further work on the draft guiding principles on extreme poverty and human rights and to submit a report on how those principles could be improved. The European Union wished to know how she intended to proceed.

56. **Mr. Makong** (Lesotho) asked whether the Independent Expert intended to take into consideration the effect of debt on the financial crisis, in particular with reference to social protection. One might have thought that the least developed countries would escape the crisis owing to their low level of participation in international trade. However, some studies showed that they had indeed been affected. In the case of Lesotho, any reduction in exports would have repercussions for employment. The United Nations Conference on Trade and Development (UNCTAD) had raised the possibility of a moratorium on debt for such countries. His delegation wished to hear the views of the Independent Expert regarding that issue.

57. **Mr. Christofolo** (Brazil) said that in accordance with the recommendations of the report of the Independent Expert (A/64/279), his country had taken action to strengthen social protection in order to combat systemic problems which kept a considerable proportion of the population in poverty. Brazil had extended the existing unemployment benefits and enhanced public investment in infrastructure and other labour-intensive sectors, in addition to strengthening a cash transfer scheme which benefited over 50 million people, thereby reducing its Gini coefficient by 21 per cent and reviving its economy.

58. The Independent Expert had recommended increased inter-State cooperation to tackle the effects of the crisis. He asked how South-South cooperation could facilitate a human-rights-based economic recovery.

59. **Ms. Liu** Lingxiao (China) said that her delegation welcomed the recommendations of the Independent Expert with regard to strengthening social protection systems and international cooperation in order to tackle the crisis while fully respecting human rights. Of China's 4 trillion yuan stimulus package, 65 per cent had been allocated to projects which contributed, whether directly or indirectly, to social development and public welfare.

60. She wished to hear the views of the Independent Expert on how the international community could help developing countries to overcome obstacles preventing them from establishing effective social protection systems and defending the rights of the poor. She also wondered whether the Independent Expert could comment further on the concept of a social protection floor and its wider applications.

61. **Ms. Sepúlveda Carmona** (Independent Expert on the question of human rights and extreme poverty), responding to the question asked by the representative of Sweden, said that children were indeed disproportionately affected by the crisis. Many families had reacted to reduced incomes by withdrawing children, and in particular girls, from school. Both the quantity and the quality of food had declined. Other crises had shown that States also tended to reduce their investment in education and health. On the contrary, it was very important to strengthen social protection in times of crisis, as had been done in Brazil. In South Africa, cash transfers to families had considerably improved children's quality of life.

62. She was honoured that the Human Rights Council had, in a resolution supported by over 55 States, invited her to update and resubmit draft guiding principles on extreme poverty and human rights. Those principles should make it possible to highlight obstacles and gaps in the exercise of the fundamental rights of persons living in extreme poverty. All Member States should take part in consultations in order to formulate those principles, which could become an important soft law document.

63. Responding to the questions asked by the representative of Lesotho, she said she agreed that debt viability must be taken into account in order to improve the situation of persons living in extreme poverty. Without wishing to encroach on the mandate of the Independent Expert on the effects of economic reform policies and foreign debt on the full enjoyment of all human rights, particularly economic, social and cultural rights, she stressed that in order to protect the poor, developed States must honour the commitments made under the Heavily Indebted Poor Countries Initiative and the Multilateral Debt Relief Initiative. Responding also to the question asked by China regarding the means to help developing States to gain

the fiscal space to establish social protection systems, she called on developed States to ensure that their official development assistance was effectively targeted at the poorest countries, something that currently was often not the case. In accordance with the Paris Declaration on Aid Effectiveness and the Accra Agenda for Action, their aid should help the recipient States to take ownership of the development process and to strengthen capacity. Lastly, the issue of access to markets was also essential. The Doha Round must be reactivated. Developed States must comply with their commitments to allow access to duty-free and quota-free markets for at least 97 per cent of the products of least developed countries; eliminate agricultural export subsidies by 2013; and increase political and financial support for the Aid for Trade initiative.

The meeting rose at 12.40 p.m.